

**Amend Section 218 of the Property Taxes Law to correct a cross reference error.**

**Source: Property and Special Taxes Department and Legal Department**

Chapter 388 of the Statutes of 1996 relettered subdivisions (e), (f), (g), (h), and (i) of Section 61 to (f), (g), (h), (i), and (j) respectively. Section 218 contains a cross reference to relettered subdivision (h) of Section 61. Therefore, Revenue and Taxation Code Section 218 should be amended to change the code cross-reference from Section 61(h) to Section 61(i).

*Section 218(d) of the Revenue and Taxation Code is amended to read:*

\* \* \*

(d) Premises occupied by the owner of shares or a membership interest in a cooperative housing corporation, as defined in subdivision ~~(h)~~ (i) of Section 61, as his or her principal place of residence on the lien date. Each exemption allowed pursuant to this subdivision shall be deducted from the total assessed valuation of the cooperative housing corporation. The exemption shall be taken into account in apportioning property taxes among owners of share or membership interests in the cooperative housing corporations so as to benefit those owners who qualify for the exemption.

“Dwelling” means a building, structure or other shelter constituting a place of abode, whether real property or personal property, and any land on which it may be situated. For purposes of this section a two-dwelling unit shall be considered as two separate single-family dwellings.

Any dwelling that qualified for an exemption under this section prior to October 20, 1991, that was damaged or destroyed by fire in a disaster, as declared by the Governor, occurring on or after October 20, 1991, and before November 1, 1991, and that has not changed ownership since October 20, 1991, shall not be disqualified as a “dwelling” or be denied an exemption under this section solely on the basis that the dwelling was temporarily damaged or destroyed or was being reconstructed by the owner.

The exemption provided for in subdivision (k) of Section 3 of Article XIII of the Constitution shall first be applied to the building, structure or other shelter and the excess, if any, shall be applied to any land on which it may be located.